

REMARKS/ARGUMENTS

This paper is filed in response to the Office Action of September 15, 2009. In the Office Action, the pending claims were rejected under 35 U.S.C. 103(a) as being unpatentable over Evans (United States Patent No. 5,924, 074) in view of Feldon (United States Patent No. 5,732,221), Lavin (United States Patent No. 5,772,585), Provost (United States Patent No. 6,341,265), and Lancelot (United States Patent No. 6,434,531).

M.P.E.P. § 2141 sets forth the *Graham* factual enquiries that should be considered when making an obviousness rejection under Section 103: 1) ascertaining the scope and content of the prior art; 2) ascertaining the differences between the claimed invention and the prior art; and 3) resolving the level of ordinary skill in the pertinent art. (Citing *Graham v. John Deere*, 383 U.S. 1, 148 USPQ 459 (1966).) In addition, M.P.E.P. §§ 2141 and 2142 set forth that “the analysis supporting a rejection under 35 U.S.C. 103 should be made explicit.” (Citing *KSR International Co. v. Teleflex Inc. (KSR)*, 550 U.S. 398, 82 USPQ2d 1385 (2007).)

Independent claim 21 recites a method comprising: electronically selecting a pool of healthcare procedures characteristically performed by an individual healthcare provider of a healthcare facility for inclusion in a customized form for use by the healthcare provider, wherein the pool of healthcare procedures are limited to reflect only the medical services rendered by the individual healthcare provider; electronically selecting one or more healthcare diagnoses characteristically employed by the individual healthcare provider for inclusion in the customized form that is to be used by the healthcare provider, wherein the one or more diagnoses are reasons for performing at least one of the procedures from the pool of healthcare procedures characteristically performed by the individual healthcare provider; generating the customized form in a generally integrated graphical display, by defining display specifications that relate to a

display of the healthcare procedures characteristically performed by the individual healthcare provider and the healthcare diagnoses characteristically employed by the individual healthcare provider, wherein the display specifications are based on user preferences of the individual healthcare provider, and wherein said step for generating the customized form comprises: using a computer processing system and interface to define a structure for the customized form, selecting a number of rows for inclusion into the customized form, wherein the rows are selectively moved up or down, obtaining aspects of the customized form from an existing customized form, determining whether to pull detail lines from the existing customized form, defining specifications relating to the pool of healthcare procedures as performed by the individual healthcare provider in the practice of the individual healthcare provider, defining specifications relating to the one or more healthcare diagnoses pertaining to the practice of the individual healthcare provider, displaying a reference to the customized form in a searchable field within a form definition window, populating one or more fields of the form definition window, displaying the form definition window with the populated fields, entering procedure and diagnosis codes curtailed to the practice of the individual healthcare provider, providing a status and an identification relating to the electronically created customized form, providing a visit form look up and description, instantaneously updating the customizable form, providing the ability to lock the customized form, and displaying a preview of the customized form; and determining a particular sequence of the pool of healthcare procedures based upon user preferences of the individual healthcare provider; selecting at least one of (i) a diagnosis of the customized form and (ii) a procedure of the customized form, the diagnosis and the procedure being limited to reflect only those commonly rendered by the individual healthcare provider in connection with one of the healthcare procedures from the pool of healthcare procedures on a patient; displaying

billing information on a real time basis and prior to the rendering of the one of the procedures on the patient to allow the healthcare provider to advise the patient as to healthcare service to be rendered, including the most cost efficient healthcare alternative for the patient; and automatically recording an insurance code entry on an insurance invoice, the insurance code entry representing the diagnosis and the procedure selected by the specialized healthcare provider, wherein the process of selecting the diagnosis and the procedure automatically creates the insurance code entry on the insurance invoice.

Applicant respectfully submits that the references do not make obvious independent claim 21 for at least the reason that none of the references cited by the Examiner, either alone or in combination, teach or suggest:

using a computer processing system and interface to define a structure for the customized form, selecting a number of rows for inclusion into the customized form, wherein the rows are selectively moved up or down, obtaining aspects of the customized form from an existing customized form, determining whether to pull detail lines from the existing customized form, defining specifications relating to the pool of healthcare procedures as performed by the individual healthcare provider in the practice of the individual healthcare provider, defining specifications relating to the one or more healthcare diagnoses pertaining to the practice of the individual healthcare provider, displaying a reference to the customized form in a searchable field within a form definition window, populating one or more fields of the form definition window, displaying the form definition window with the populated fields, entering procedure and diagnosis codes curtailed to the practice of the individual healthcare provider, providing a status and an identification relating to the electronically created customized form,

providing a visit form look up and description, instantaneously updating the customizable form, providing the ability to lock the customized form, and displaying a preview of the customized form

Accordingly, Applicant respectfully submits that neither Independent claim 21 nor any corresponding dependent claim is made obvious by the references cited by the Examiner.

Similarly, Independent claim 42 recites a method comprising: electronically selecting a pool of healthcare procedures characteristically performed by a particular healthcare provider of a healthcare facility for inclusion in a customized form for use by the healthcare provider, wherein the pool of healthcare procedures are limited to reflect only the medical services rendered by the particular healthcare provider; electronically selecting a healthcare diagnosis characteristically employed by the particular healthcare provider for inclusion in the customized form for use by the healthcare provider, wherein the healthcare diagnosis are limited to reflect only the medical services rendered by the particular healthcare provider, and wherein the healthcare diagnosis is a reason for performing a procedure from the pool of healthcare procedures characteristically performed by the particular healthcare provider; generating the customized form by defining display specifications that relate to a display of the healthcare procedures characteristically performed by the particular healthcare provider and the healthcare diagnoses characteristically employed by the particular healthcare provider, wherein the display specifications are based on user preferences of the particular healthcare provider, and wherein said step for generating the customizable form comprises: using a computer interface to define a new structure for the customized form, selecting a number of rows for inclusion into the customized form, wherein the rows are selectively moved up or down, obtaining aspects of the customized form from an existing customized form, determining whether to pull detail lines from

the existing customized form, defining specifications relating to the pool of healthcare procedures, defining specifications relating to the healthcare diagnosis, displaying a reference to the customized form in a searchable field within a form definition window, populating one or more fields of the form definition window, displaying the form definition window with the populated fields, entering procedure and diagnosis codes, providing a status and an identification relating to the electronically created customized form, providing a visit form look up and description, instantaneously updating the customizable form, providing the ability to lock the customized form, and displaying a preview of the customized form; determining a particular sequence of the pool of healthcare procedures based upon user preferences; concomitantly displaying all possible healthcare procedures and healthcare diagnoses on the customized form; selecting at least one of (i) a diagnosis of the customized form and (ii) a procedure of the customized form, the diagnosis and the procedure being limited to reflect only those commonly rendered by the particular healthcare provider in connection with one of the healthcare procedures from the pool of healthcare procedures on a patient; and automatically recording an insurance code entry on an insurance invoice, the insurance code entry representing the diagnosis and the procedure selected by the specialized healthcare provider, wherein the process of selecting the diagnosis and the procedure automatically creates the insurance code entry on the insurance invoice.

Applicant respectfully submits that the references do not make obvious independent claim 42 for at least the reason that none of the references cited by the Examiner, either alone or in combination, teach or suggest:

using a computer interface to define a new structure for the customized form, selecting a number of rows for inclusion into the customized form, wherein the rows are

selectively moved up or down, obtaining aspects of the customized form from an existing customized form, determining whether to pull detail lines from the existing customized form, defining specifications relating to the pool of healthcare procedures, defining specifications relating to the healthcare diagnosis, displaying a reference to the customized form in a searchable field within a form definition window, populating one or more fields of the form definition window, displaying the form definition window with the populated fields, entering procedure and diagnosis codes, providing a status and an identification relating to the electronically created customized form, providing a visit form look up and description, instantaneously updating the customizable form, providing the ability to lock the customized form, and displaying a preview of the customized form; determining a particular sequence of the pool of healthcare procedures based upon user preferences;


Accordingly, Applicant respectfully submits that neither Independent claim 42 nor any corresponding dependent claim is made obvious by the references cited by the Examiner.

CONCLUSION

Applicant submits that the amendments made herein do not add new matter and that the claims are now in condition for allowance. Accordingly, Applicant requests favorable reconsideration. If the Examiner has any questions or concerns regarding this communication, the Examiner is invited to call the undersigned.

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Respectfully submitted, ,



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